

House Study Bill 660 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON ROGERS)

A BILL FOR

1 An Act relating to school meal debt and to school meal programs
2 offered by school districts and accredited nonpublic
3 schools, authorizing the establishment of unpaid student
4 meals accounts, and authorizing the transfer and expenditure
5 of certain funds.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.504, subsection 2, Code 2018, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. 1. If the alleged liability is owing and
4 payable to a school district for school meal debt, the school
5 district has made reasonable efforts to collect the debt for
6 at least two years, and the amount of the debt owed by a person
7 to the school district is five hundred dollars or more, setoff
8 pursuant to this section may be sought by the school district.

9 Sec. 2. NEW SECTION. 283A.11 **Participation by students —**
10 **school prohibitions and responsibilities.**

11 1. For purposes of this section, unless the context
12 otherwise requires, "*school*" includes a school district, a
13 school district attendance center, or an accredited nonpublic
14 school.

15 2. A school shall provide notice, at least twice annually,
16 to the parents or guardians of all enrolled students regarding
17 the availability of applications for free or reduced-fee meals
18 for categorically eligible students under the federal National
19 School Lunch Act of 1966, 42 U.S.C. §1751 et seq., and the
20 federal Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq.
21 Notice may be provided via letter or electronic communication.

22 3. If a student owes money for five or more meals, a school
23 principal, assistant principal, or designated meal program
24 staff person may contact the student's parent or guardian to
25 provide information regarding the application for free or
26 reduced-fee meals pursuant to the federal National School Lunch
27 Act of 1966, 42 U.S.C. §1751 et seq., and the federal Child
28 Nutrition Act of 1966, 42 U.S.C. §1771 et seq., or to provide
29 information on other options or assistance available.

30 4. A school shall provide a reimbursable meal, as specified
31 under regulations promulgated by the United States department
32 of agriculture pursuant to the federal Healthy, Hunger-Free
33 Kids Act of 2010, Pub. L. No. 111-296, to a student who
34 requests a reimbursable meal unless the student's parent or
35 guardian has specifically provided written direction to the

1 school to withhold a meal from the student.

2 5. If practicable, a school shall position the point of
3 service at the beginning of a lunch line to provide options
4 other than meal disposal or replacement.

5 6. *a.* A school is prohibited from posting a list of
6 students who owe money for school meals and from engaging in
7 any of the following acts directed toward a student because the
8 student cannot pay for a meal or owes a meal debt:

9 (1) Publicly identifying or stigmatizing the student,
10 including but not limited to requiring the student to consume
11 the meal at a table set aside for such purpose or to discard a
12 meal after the meal has been served.

13 (2) Requiring the student to wear a wristband, hand stamp,
14 or identification marks, or to do chores or other work to pay
15 for meals.

16 (3) Denying participation in an afterschool program or
17 other extracurricular activity to the student.

18 *b.* A school shall direct communications about a student's
19 meal debt to a parent or guardian and not to the student. This
20 paragraph does not prohibit a school from sending a letter home
21 with a student addressed to the student's parent or guardian,
22 or from contacting the parent or guardian via phone or other
23 electronic means.

24 7. The department of education shall, in consultation with
25 schools, develop and establish best practices, guidance, and
26 policies to assist schools to reach the goal of ensuring that
27 all students have access, at a minimum, to reimbursable meals,
28 in accordance with subsection 4.

29 8. A school district may establish an unpaid student meals
30 account in the general fund of the school district and may
31 deposit in the account moneys received from private sources
32 for purposes of paying student meal debt accrued by individual
33 students as well as amounts designated for the account from
34 the school district's flexibility account under section
35 298A.2, subsection 2. Moneys deposited in the unpaid student

1 meals fund shall be used by the school district only to pay
2 individual student meal debt. The school district shall set
3 fair and equitable procedures for such expenditures.

4 Sec. 3. Section 298A.2, subsection 2, paragraph c, Code
5 2018, is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (06) For deposit in the unpaid student
7 meals account to be used for purposes of paying student meal
8 debt accrued by individual students in accordance with section
9 283A.11, subsection 8.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill relates to school meal programs offered by school
14 districts and accredited nonpublic schools, allows school
15 districts to seek to use the setoff procedures administered by
16 the department of administrative services, and allows a school
17 district to deposit moneys from its flexibility account into
18 an unpaid student meals account to be used only to pay student
19 meal debt accrued by individuals.

20 The bill defines "school" to include a school district, a
21 school district attendance center, or an accredited nonpublic
22 school.

23 At least twice a year, the school must notify a parent or
24 guardian about the availability of applications for federal
25 assistance for free or reduced-fee meals. If the student owes
26 moneys for five or more meals, the school must notify the
27 parent or guardian of the availability of federal assistance
28 applications or provide information on other options or
29 assistance available, and the notice must go to the parent or
30 guardian directly, not the student. However, the school is not
31 prohibited from sending a letter home with a student addressed
32 to the parent or guardian.

33 A school must provide a reimbursable meal, as specified
34 by the United States department of agriculture, to a student
35 who requests one unless the student's parent or guardian has

1 specifically provided written permission to the school to
2 withhold a meal from the student. The department of education
3 is directed to develop and establish best practices, guidance,
4 and policies to assist schools to reach the goal of ensuring
5 that all students have access, at a minimum, to reimbursable
6 meals.

7 If practicable, the school must position the point of
8 service at the beginning of a lunch line to provide options
9 other than meal disposal or replacement.

10 A school is prohibited from posting a list of students
11 who owe money for school meals; publicly identifying or
12 stigmatizing a student who cannot pay for a meal or who owes a
13 meal debt; from requiring the student to consume the meal at
14 a table set aside for such purpose, to discard a meal after
15 the meal has been served, or to do chores or other work to pay
16 for meals; or from denying the student participation in an
17 afterschool program or other extracurricular activity.

18 The school district must set fair and equitable procedures
19 for the use of moneys in the unpaid student meals account.

20 The setoff procedures administered by the department of
21 administrative services can be sought by a school district if
22 the alleged school meal debt owed to the district is over \$500
23 and the district has tried to collect the debt for at least two
24 years.